IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated :Nainital the 17th day of August, 2005

Criminal Bail Application No. 731/2005

Order on the bail application of the accused.

CRIMINAL SIDE

1. Basant Verma S/o Shri Budhrain
2. Sonu Verma S/o Shri Basant Verma
   R/o Mohalla Pukka Kot
   Kashipur
   District U.S. Nagar …Applicants

Versus

State of Uttaranchal …..Opposite Party

Arising out of case crime No. 142 of 2005
U/s 323, 504, 326, 506 I.P.C.
P.S. Kashipur
District- U.S. Nagar

Hon'ble J.C.S. Rawat, J.

Heard Sri Pooran Singh Rawat learned counsel for the applicants, learned AGA for the State and perused the record.

Perused the recorded. The prosecution has adduced the medical certificate of Deepika Dubey in which it has been mentioned that the injury no.3 was caused by throwing chemical liquid and the multiple seprefication burn injury on the left side of whole neck temporal partial region and both of out nose burn injury were found. As such, the chemical was thrown on the face of the injured by the applicant-Basant Verma. There is sufficient evidence to support this barbarous act against the applicant No. 1 Basant Verma. This fact is also supported by the medical report as well as by the ocular testimony.

Therefore, the applicant-Basant Verma is not entitled for bail. So for as the applicant No. 2- Sonu Verma is concerned, he assaulted the complainant's wife on her nose by 'Belan', but it is not corroborated by the medical report. The learned A.G.A. has also pointed out that there is no medical report of the complainant's wife. As such, the applicant No. 2- Sonu Verma is entitled for bail.

Let the applicant No.2-Sonu Verma be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dt: 17.08.2005